

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHOPIFY INC. AND SHOPIFY (USA), INC.,)	
)	
Plaintiffs/Counterclaim Defendants,)	
)	Civil Action No. 1:19-cv-00439-RGA
v.)	
)	Honorable Richard G. Andrews
EXPRESS MOBILE, INC.,)	
)	
Defendant/Counterclaim Plaintiff.)	

**EXPRESS MOBILE, INC.’S MOTION FOR SUMMARY JUDGMENT OF
NO INVALIDITY UNDER 35 U.S.C. §§ 101, 102, AND 112; AND MOTION TO
EXCLUDE CERTAIN TESTIMONY OF SHOPIFY’S DAMAGES EXPERT,
W. CHRISTOPHER BAKEWELL AND TECHNICAL EXPERTS,
CHRISTOPHER SCHMANDT AND ALLEN WIRFS-BROCK**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant/Counterclaim Plaintiff Express Mobile, Inc. moves for summary judgment of no invalidity pursuant to 35 U.S.C. §§ 101 and 102, and 112. Pursuant to Federal Rule of Evidence 702 and under the standards set forth in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), Plaintiff Express Mobile, Inc. respectfully moves and requests that the Court exclude certain testimony of Plaintiffs/Counterclaim Defendants Shopify Inc. and Shopify (USA), Inc.’s Damages Expert, W. Christopher Bakewell And Technical Experts, Christopher Schmandt And Allen Wirfs-Brock.

The grounds for these motions are set forth in the memorandum filed concurrently herewith.

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